REMARKS

Reconsideration is respectfully requested in view of the above amendments and following remarks. Claims 1, 6, 12, 17 and 23 are hereby amended. No new matter has been added. Claims 1 and 3-27 are pending.

New claims 24-27 depend from amended claims 1, 12, 17, and 23 respectively. All the elements of new claims 24-27 are disclosed in Figs. 2 and 3 and page 6, lines 16-23 of the present application. No new matter has been added.

Claim objections

Claims 6 and 12 have been amended to correct typographical errors. In particular, claim 6 has been amended, changing "boned" to "bonded" and claim 12 has been amended, changing "absorption of moisture, oxygen, and impurities" to " absorption of moisture, oxygen, or impurities".

Claim rejections - 35 U.S.C. § 102 and 103

Claims 1, 3, 12, 16-19, 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamazaki et al. Claims 4, 5, 14, 15, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. (US 2002/0125817 A1) in view of Nishio et al. (US 6,624,570). Applicants respectfully traverse the rejection made by the Examiner for the reasons discussed below.

App. No. 09/970068
Amd. Dated June 1, 2004
Office Action Dated March 1, 2004

Applicants have amended claims 1, 12, 17, and 23 to more clearly identify a novel and non-obvious feature of the claimed invention, all the elements of amended claims 1, 12, 17, and 23 are disclosed in Figs. 2 and 3 and page 6, lines 16-23 of the present application. No new matter has been added.

Claims 1 and 12 have been amended to read, "drying layer adhered only to a rim of the inner surface of the glass (or first) substrate without contact with the luminescent device", in order to more clearly identify a novel and non-obvious feature of the claimed invention, support for the amendment can be found on Figs. 2 and 3 of the present application. Furthermore, Claims 12, 17 and 23 have been amended to read, "a loop of drying layer formed (adhered) only on (to) a rim of the inner surface of the glass (first) substrate", support for the amendment can be found on Figs. 2 and 3 of the present application. Moreover, claim 17 has been amended to read, "a loop of sealing layer formed on the rim of the inner surface of the first substrate and surrounding the drying layer", support for the amendment can be found on Figs. 2 and 3 of the present application. No new matter has been added.

Each of the amended independent claims 1, 12, 17, and 23 provides an organic electro-luminescence (EL) element. Specifically, the organic EL elements according to amended independent claims 1 and 12, comprise a glass (first) substrate having a luminescent device on an inner surface, a drying layer adhered (or formed) only to (or on) a rim of the inner surface of the glass (or first) substrate without contact with the luminescent device, a sealing layer formed on

the rim of the inner surface of the glass (or first) substrate and surrounding the drying layer, and a sealing case (or substrate) bonded to the rim of the glass (or first) substrate by the drying layer and the sealing layer to form an airtight space. It is respectfully submitted that the drying layer is formed only between the glass (or first) substrate and the sealing case (or substrate) and does not contact with the luminescent device (Figs. 2 and 3 of the present application).

Furthermore, the organic EL elements according to amended independent claims 1, 12, 17, and 23 comprise the sealing layer formed as a closed loop and on the rim of the inner surface of the glass (or first) substrate (page 6, lines 21-23 and Fig. 2 of the present application). Moreover, the sealing case (or substrate) is bonded to the glass (or first) substrate by the sealing layer and the drying layer so as to form an airtight space (page 6, lines 24-29, page 7, lines 1-3 and Fig. 2 of the present application).

Yamazaki discloses an EL display device and an electronic device employing the same. It is applicants belief that Yamazaki does not disclose "drying layer adhered to a rim of the inner surface of the glass substrate without contact with the luminescent device", " a loop of drying layer formed only on a rim of the inner surface of the glass substrate without contact with the luminescent device, in which the drying layer comprises an adhesion agent and a composite material with absorption of moisture, oxygen or impurities;", "a loop of drying layer adhered to a rim of the inner surface of the first substrate", "sealing layer formed on the rim of the inner

surface of the glass substrate" and "a sealing case bonded to the rim of the glass substrate to form an airtight space" as recited in amended claims 1, 12, 17, and 23.

First, regarding the drying layer, the Examiner states that the filler as disclosed in Yamazaki accords with the definition of the drying layer recited in the present application, due to the filler added with a drying agent. Yamazaki teaches "the filler 208 is provided to form on the substrate so as to cover the EL element" (Par. [0019] and Figs.2A, 2B, 3, and 5-7 of Yamazaki); therefore, Yamazaki teaches away from the invention by providing a filler formed to cover the EL element, rather than providing a drying layer formed only on a rim of the inner surface of the glass substrate without contact with the luminescent device as recited in amended claims 1 and 12.

In another aspect, regarding the sealing layer, Yamazaki does not teach the sealing member is formed as a close loop on the rim of "the inner surface" of the glass substrate or first substrate as recited in amended claims 1, 12, 17, and 23. To the contrary, a part of the sealing member in Yamazaki is formed on the filler and outside the glass substrate (Pars. [0041], [0049], [0055], and Figs. 2A, 2B, 3, and 5-7 of Yamazaki).

Furthermore, Yamazaki teaches "the active matrix substrate 408 and the cover member 410 are completely adhered by the filler 409" (Pars. [0033], [0035], and Figs. 2A, 2B, 3-7 of Yamazaki). Accordingly, the space between the cover member and the substrate is filled completely by the filler. Therefore, Yamazaki does not teach or suggest that the sealing case

bonded to the glass substrate to form "an airtight space" as recited in amended Claims 1, 12, 17, and 23.

Nishio teaches an electroluminescent display device, increased in size by securing plural small-size panels. Nishio does not teach the features of "a drying layer adhered to a rim of the inner surface of the glass substrate without contact with the luminescent device" and "a sealing layer formed on the rim of the inner surface of the glass substrate and surrounding the drying layer" as recited in amended claims 1, 12, 17, and 23.

As discussed above, the Examiner's cited references, when taken alone or in combination, fail to teach or suggest all of the features of amended claims 1, 12, 17 and 23. It is respectfully submitted that amended claims 1, 12, 17 and 23 are not anticipated or rendered obvious by the Examiner's cited references. Applicants do not concede the correctness of the rejections. Withdrawal of the rejections is respectfully requested.

It is therefore applicants belief that claims 1, 12, 17 and 23 are allowable over the cited references for at least the above-cited reasons. Insofar as claims 3-5, 13-16, 18-22 and 24-27 depend either directly or indirectly from amended claims 1, 12, 17 and 23 it is applicants belief that those claims are also allowable. Applicant does not concede the correctness of the rejections. Withdrawal of the rejections is respectfully requested.

Furthermore, Applicants appreciate the Examiner's indication of allowable subject matter in claims 6-11.

App. No. 09/970068
Amd. Dated June 1, 2004
Office Action Dated March 1, 2004

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions or concerns regarding this communication can be directed to the undersigned attorney, Michael D. Schumann, Reg. No. 30,422, at (612) 336.4638.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

By _____
Michael D. Schumann
Reg. No. 30,422

23552
PATENT TRADEMARK OFFICE

Dated: June 1, 2004

MDS:smm